REMARKS/ARGUMENTS

In the Office Action, the Examiner objected to applicant's previous attempt to correct the Abstract since it had not been provided on a separate page. In response, applicant has resubmitted the Abstract on a separate page. Applicant has also amended the specification to update the status of U.S. Application Serial No. 10/611,298.

In the Office Action, the Examiner questioned the listing of references in the specification as not being a proper information disclosure statement. These references were cited for background purposes and to provide an additional disclosure so that one skilled in the art would more fully appreciate the scope of the claims. A number of the cited references were submitted with the original information disclosure statement. However, in view of the concerns raised by the Examiner, any references cited in the specification which have not already been made of record herein are being submitted with this response.

In the Office Action, the Examiner objected to claims 1 to 18 on a number of grounds. In one aspect of the rejection, the Examiner indicated that the claim language relating to the interpolating step was unclear. The term interpolating generally relates the concept of generating an estimate of an intermediate value based on known values. In this case, the known or discrete values are the parameter sets in the database. (See the specification at page 9, line 28, which states that the "...the interpolation model performs interpolation (or, in some cases extrapolation) using the parameter sets in database 302.") Although it is believed that when read in light of the specification, the interpolation step was clear, applicant has amended the independent claims to indicate that the interpolation is performed using the parameter sets of the database coupled with the results of the initial comparison to the database which provided the closest match to the measured optical response.

In the Office Action, the Examiner also objected to a variety of other minor informalities in the claims. Applicant has reviewed the claims and has submitted amendments intended to address the concerns of the Examiner and address other minor claim issues.

In the Office Action, the Examiner rejected claims 7 to 13 as being anticipated by Sezginer (WO 02/065545). Sezginer primarily relies on a database evaluation to determine sample parameters. Sezginer has only one sentence related to interpolation. More importantly, Sezginer does teach or suggest the concept of iterating a theoretical model using the results

obtained from an interpolation process in order to improve the accuracy of the parameter determination. Accordingly, Sezginer fails to anticipate or render obvious claims 7 to 13.
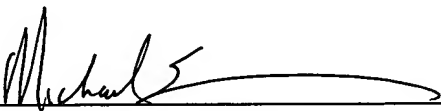
In the Office Action, the Examiner rejected dependent claim 14 as being obvious based on Sezginer in view of Johnson (US 2002/0038196). Johnson was cited merely for its teaching of multi-cubic interpolation. Johnson fails to overcome the deficiencies of Sezginer in anticipating or rendering obvious applicant's invention.

In view of the above, it is respectfully submitted that the case in now in condition for allowance and early action is respectfully requested.

Respectfully submitted,

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Dated:_____March 9 , 2006_____   By:_____
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